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(B) an oily component and

(C) water,

wherein the weight ratio of component (B) is 10 or more based on 1 of the

? what does this mean

component (A), and

wherein said emulsion is obtainable by applying a shear force corresponding to a shear rate of $10,000 \text{ s}^{-1}$ or more to a mixture of component (A), component (B) and component (C).

2. (Amended) ⁱⁿ The oil-in-water emulsion according to claim 1 ^{having} that has a light transmittance at 550 nm of 50% or more.

112, 2nd antecedent basis for emulsion having recited transmittance

3. (Amended) The oil-in-water emulsion according to claim 1, wherein the average particle size of the particles in the emulsion ranges from 0.01 to 0.2 μm . ^{antecedent basis?}

4. (Amended) The oil-in-water emulsion according to claim 1, wherein component (B) comprises a liquid oil component and a solid fatty material,

the emulsion has a viscosity ranging from 200 to 1,000,000 mPa·s at 25°C.

5. (Amended) The oil-in-water emulsion according to claim 2, wherein component (B) comprises a liquid oil component and a solid fatty material,

and

the emulsion has a viscosity ranging from 200 to 1,000,000 mPa·s at 25°C.

6. (Amended) ^{112, 2nd} The oil-in-water type emulsion cosmetic according to claim 1, wherein said emulsion is obtainable by applying a shear force corresponding to a shear rate of $1,000,000 \text{ s}^{-1}$ or more to a mixture of the component (A), component (B) and component (C).

7. (Amended) The oil-in-water emulsion according to claim 2, wherein said

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emulsion is obtainable by applying a shear force corresponding to a shear rate of 1,000,000 s⁻¹ or more to a mixture of the component (A), component (B) and component (C).

8. (Amended) A liquid cosmetic comprising the oil-in-water emulsion according to claim 4 and an aqueous medium.

9. (Amended) A liquid cosmetic comprising the oil-in-water emulsion according to claim 5 and an aqueous medium.--

Please add new Claims 10-20 as follows:

--10. (New) The oil-in-water emulsion of Claim 1, wherein said surface active agent is a nonionic and has an HLB value of 9 or more.

11. (New) The oil-in-water emulsion of Claim 1, wherein said surface active agent is anionic.

12. (New) The oil-in-water emulsion of Claim 1, wherein said surface active agent is cationic.

13. (New) The oil-in-water emulsion of Claim 1, wherein said surface active agent is amphoteric.

14. (New) The oil-in-water emulsion of Claim 1, further comprising a water-soluble alcohol.

15. (New) The oil-in-water emulsion of Claim 1 that is produced using a high-pressure commercial emulsifier.

16. (New) A liquid cosmetic comprising the oil-in-water emulsion according to Claim 1,

an aqueous medium and

further comprising a water-soluble high polymer.

17. (New) A composition comprising the oil-in-water emulsion of Claim 1 and a

water-soluble or oil-soluble component selected from the group consisting of a chelating agent, a pH adjusting agent, an antiseptic, a thickener, a drug component and a plant component.

18. (New) A cosmetic comprising the oil-in-water emulsion of Claim 1.

19. (New) A hair liquid, a hair mousse, a shampoo, a rinse, a shaving cosmetic, an after-shave lotion, a body lotion, a face lotion, a toilet lotion, a moisturizing lotion, a bath liquid, or a body shampoo comprising the oil-in-water emulsion of Claim 1.

20. (New) A method of making an oil-in-water emulsion comprising (A) a hydrophilic surface active agent,

(B) an oily component and

(C) water,

wherein the weight ratio of component (B) is 10 or more based on 1 of the component (A) comprising.

applying a shear force corresponding to a shear rate of $10,000 \text{ s}^{-1}$ or more to a mixture of component (A), component (B) and component (C) for a time and under conditions suitable for forming an oil-in-water emulsion.

REMARKS

Claims 1-20 are pending.

Rejection--35 U.S.C. 103

Claims 1-9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tomomasa, JP 63-126543, in view of Kakoki et al, U.S. Patent 5,162,377. As discussed in the interview, the prior art does not suggest the invention of Claims 1-9, because it does not